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09/660,205	09/12/2000	James H. Parry	21706-04982	6898

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EXAMINER

BARNIE, REXFORD N

ART UNIT

2643

PAPER NUMBER

DATE MAILED: 01/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/660,205

Applicant(s)
PARRY ET AL.

Examiner
REXFORD BARNIE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 30, 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

REXFORD BARNIE
PRIMARY EXAMINER

12/29/03

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al. (US Pat# 5,734,724) in view of Munson et al. (US Pat# 6,452,600) or Oberlander et al. (US Pat# 4,720,850) or Cotton et al. (US Pat# 5,379,280).

Regarding claim 1, Kinoshita teaches a method of supporting communications among a plurality of communication terminals in (see figs. and disclosure) comprising of receiving an audio signal for instance from a plurality of terminals over a network for instance (see fig. 6, col. 5 lines 20-24), formulating one or more mixes of the audio signal (see mixing section of a central

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processing unit of figs.) and then sending the processed signal back to one of a plurality of the communication terminals.

Kinoshita teaches a centralized system for providing resources in order to make conferencing possible but fails to teach pooling and assigning resources when available.

Munson teaches a conference system wherein a central server (104) can allocate resource for services including conference in (see col. 6 lines 37-55, col. 7 lines 11-18, lines 33-34). Resources can be pooled and allocated based on availability.

Oberlander et al. teaches a resource management system for managing resources for conference calls and so forth in (see figs 3, 4, 8, 9 and disclosure).

Cotton teaches a conference system for distributed switching network comprising of a plurality of parties involved in a conference wherein a channel allocation system can allocate channels (see col. 26 lines 19-65), assigning ports (see col. 11) and so forth based on availability.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Munson or Cotton or Oberlander into that of Kinoshita thus making it possible to control and set up services based on availability of resources including conference for the advantage of avoiding interference and conflicts when utilizing resources.

Regarding claim 17, Regarding claim 1, Kinoshita teaches a method of supporting communications among a plurality of communication terminals in (see figs. and disclosure) comprising of receiving an audio signal for instance from a plurality of terminals over a network

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for instance (see fig. 6, col. 5 lines 20-24), formulating one or more mixes of the audio signal (see mixing section of a central processing unit of figs.) and then sending the processed signal back to one of a plurality of the communication terminals.

Kinoshita teaches a centralized system for providing resources in order to make conferencing possible but fails to teach pooling and assigning resources when available.

Munson teaches a conference system wherein a central server (104) can allocate resource for services including conference in (see col. 6 lines 37-55, col. 7 lines 11-18, lines 33-34). Resources can be pooled and allocated based on availability.

Oberlander et al. teaches a resource management system for managing resources for conference calls and so forth in (see figs 3, 4, 8, 9 and disclosure).

Cotton teaches a conference system for distributed switching network comprising of a plurality of parties involved in a conference wherein a channel allocation system can allocate channels (see col. 26 lines 19-65), assigning ports (see col. 11) and so forth based on availability.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Munson or Cotton or Oberlander into that of Kinoshita thus making it possible to control and set up services based on availability of resources including conference for the advantage of avoiding interference and conflicts when utilizing resources.

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3. Claims 2 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al. (US Pat# 5,734,724) in view of Munson et al. (US Pat# 6,452,600) or Oberlander et al. (US Pat# 4,720,850) or Cotton et al. (US Pat# 5,379,280) and further in view of Iizawa (US Pat# 6,008,838).

Regarding claims 2 and 22, The combination including Kinoshita fails to teach the claimed subject matter in detail but Iizawa teaches a multi-point system comprising of a decoding and encoding scheme in conjunction with an audio mixer in (see figs.). Furthermore, Iizawa teaches a level calculating circuit, level storage circuit, threshold storage section and so forth which can be used in controlling processing of audio signals.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Iizawa thus making it able to process incoming and outgoing digital signals in for instance a multi-media environment.

4. Claims 3-16 and 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al. (US Pat# 5,734,724) in view of {Munson et al. (US Pat# 6,452,600) or Oberlander et al. (US Pat# 4,720,850) or Cotton et al. (US Pat# 5,379,280)} and further in view of Iizawa (US Pat# 6,008,838) or Scordo (US Pat# 4,558,180).

Regarding claims 3-9 and 18, Kinoshita fails to teach the claimed subject matter in detail but Iizawa teaches a multi-point system comprising of a decoding and encoding scheme in conjunction with an audio mixer in (see figs.). Furthermore, Iizawa teaches a level calculating

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circuit, level storage circuit, threshold storage section and so forth which can be used in controlling processing of audio signals for the different terminals.

Scordo teaches a programmable audio mixer in (see fig. 1) with room controls, audio detectors, a bridge and a microprocessor which can be used in controlling acoustic properties of communications in (see fig. 1, col. 1 lines 38-45 and disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Iizawa or Scordo into that of Kinoshita thus making it possible to control the processing of signals to the various terminals based on parameters settings and so forth.

Regarding claims 10-12, 19-21, and 23, The combination teaches an echo cancellation means in (see 26 of fig. 16 and AMP of fig. 16 of Kinoshita).

Regarding claims 13-14 and 24-25, the combination including Kinoshita teaches controlling of amplification of signals and Scordo teaches determining allocation of resources to terminals involved in a communication session and would have been obvious to one of ordinary skill in the art at the time the invention was made to control allocation of resources to the terminals.

Regarding claims 15-16, The combination teaches using time delay and so forth in (see Scordo, Kinoshita).

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5. Claims 26-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al. (US Pat# 5,734,724) in view of Iizawa (US Pat# 6,008,838) or Scordo (US Pat# 4,558,180).

Regarding claim 26, Kinoshita teaches a method of supporting communications among a plurality of communication terminals in (see figs. And disclosure) comprising of receiving an audio signal for instance from a plurality of terminals over a network for instance (see fig. 6, col. 5 lines 20-24), formulating one or more mixes of the audio signal (see mixing section of a central processing unit of figs.) And then sending the processed signal back to one of a plurality of the communication terminals. Furthermore, see for instance (fig. 6).

Kinoshita fails to teach the claimed subject matter in detail but Iizawa teaches a multi-point system comprising of a decoding and encoding scheme in conjunction with an audio mixer in (see figs.). Furthermore, Iizawa teaches a level calculating circuit, level storage circuit, threshold storage section and so forth which can be used in controlling processing of audio signals for the different terminals. Note that the room module could be a equivalent to the system of comparing taught by Iizawa by using the storage and processing means.

Scordo teaches a programmable audio mixer in (see fig. 1) with room controls, audio detectors, a bridge and a microprocessor which can be used in controlling acoustic properties of communications in (see fig. 1, col. 1 lines 38-45 and disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Iizawa or Scordo into that of Kinoshita thus

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making it possible to control the processing of signals to the various terminals based on parameters settings and so forth.

Regarding claim 27, The combination teaches mixing means in (see disclosure of the combination).

Regarding claims 28-30, The combination teaches an echo cancellation means in (see 26 of fig. 16 and AMP of fig. 16).

Regarding claim 31, the combination including Iizawa teaches the claimed subject matter.

Regarding claims 32-33, the combination including Kinoshita teaches controlling of amplification of signals and Scordo teaches determining allocation of resources to terminals involved in a communication session and would have been obvious to one of ordinary skill in the art at the time the invention was made to control allocation of resources to the terminals.

6. Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cotton et al. (US Pat# 5,379,280) in view of Scordo. (US Pat# 4,558,180) or Munson et al. (US Pat# 6,542,600)

Regarding claim 34, Cotton et al. teaches a conference system wherein resources can be controlled and allocated based on availability to communication terminals in a conference call in (see figs. And disclosure) but fails to show the terminals. Scordo teaches communication among a plurality of terminals wherein time slots, links and ports would be controllable resources with which communication among a plurality of terminals would be possible in (see cols. 8, col. 14 and so forth).

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Munson teaches a communication system wherein a centralized platform using for instance a server (504) can control and allocate resources for terminals in a conference call in (see fig. 1 and cols. 6-7)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of (Scordo or Munson) into that of Cotton thus making it possible to successfully implement group conversation such as call conferencing by controlling allocation of resources.

Regarding claim 35, The combination teaches communication between a central pool and a telephone terminal to determine status of channels, time slots and so forth.

Regarding claim 36, the combination teaches signal processing resources including channels, telephone number, intercom identifiers, links, time slots or ports which can be controlled based on availability.

Response to Arguments

7. Applicant's arguments with respect to claims 1-25 and 34-36 have been considered but are moot in view of the new ground(s) of rejection.

The applicant argued that the combination including Kinoshita and (Scordo or Iizawa) fails to teach being able to use room control parameters in addition to a central conference system.

The examiner disagrees because Kinoshita teaches a central conference or processing system to which a plurality of terminals can be connected and the combination including Scordo

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teaches being able to use process signals in (see fig. 1). The explanation as set forth in the rejection of the claimed subject matter is believed proper and permissible.

CONCLUSION

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **REXFORD BARNIE** whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or **faxed to (703) 872-9314** and labeled accordingly (Please label **"PROPOSED/INFORMAL" or "FORMAL"**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

Rexford Barnie
Patent Examiner
RB 12/29/03.

R. Barnie
REXFORD BARNIE
PRIMARY EXAMINER